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33

1948

PALESTINE

9819

21 JUL 1948

Registry Number | E9819/1260/31

TELEGRAM FROM

United Kingdom
No. Delegation
NEW YORK

Dated 1985

Received in Registry | 20th July
21st "Raising of question of Five abducted British subjects, in the Security Council.

Refers New York telegram No, 1979 dated 19th July (E9777/1260/31) Questions whether Foreign Office consider it desirable to table a resolution to effect that the men should be surrendered to protection of Truce Commission, if so, asks exact terms in which resolution should be framed.

Last Paper.

9811

(Minutes.)

Para. 3.

Lance Rutkell. 21:vi

References.

Tel. sent W, New York.

H.B. 21/7

(Print.)

(How disposed of.)

8) Palestine dept
+ Mr. Hamball (K Dept)
a Mr. Box (T Dept)
(116-9182) July 21
Tel, New York 3106
W. Yon 8086
21 July

8. Peter Rat
(116-9182) July 22
Tel, New York 3113
21 July
Rtd. W. Yon 8086
Jerusalem 504 P.T.O.

(Action completed.)

(Index.)

CL 26/8

18/2/49

Next Paper.

9820

Cypher/OTP

WORLD ORGANISATION DISTRIBUTION

FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to the United Nations)

No. 1985
20th July, 1948

D. 1.05 p.m. 20th July, 1948.
R. 6.37 p.m. 20th July, 1948.

Repeated to Washington
Jerusalem
Haifa Saving

9819

NOT IMMEDIATE
CONFIDENTIAL
GIANT

Addressed to Foreign Office telegram No. 1985 of July
20th repeated to Washington Jerusalem and saving to Haifa.

My telegram No. 1979. *E 1777/1200*

Palestine: Five abducted British subjects.

Assuming that object of raising this question in Security Council, apart from exerting pressure by causing embarrassment to Jewish representative is to get Council to agree that the men should be surrendered to protection of Truce Commission, question arises whether you would wish us to table a resolution in this sense. If you consider this desirable, we shall be grateful to know exact terms in which resolution should be framed.

2. In this connexion you will bear in mind that the Jews might well reject, or refuse to comply with, any order by Security Council not addressed specifically to the provisional government of Israel. Moreover, reference to them in such a resolution as "Jewish authorities in Palestine" will no doubt set off once again the usual discussion as to their correct title, which on previous occasions has not proved very profitable from our point of view it may therefore prove to be necessary to avoid any call by Security Council upon the Jewish authorities direct and to substitute instead an instruction from the Council to the Truce Commission to arrange for the return of these people to their protection. Unfortunately, however, this would be open to criticism that we are overloading the Truce Commission in requiring it to protect individual British subjects and that to do so would undoubtedly lead to still further attacks on the Truce Commission by Slav representatives as well as Jews. Latter are already highly critical of Truce Commission's recent reports.

/ 3. United States



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3. United States Delegation tell us today that State Department seem to be coming round to view that before any decision is taken by Security Council, information should if possible be obtained as to whether the men were in fact merely carrying on their work at power station (in which case United States Delegation would probably be able to support our contention that men be handed back) or whether there are any grounds for believing that they were involved in espionage. State Department are telegraphing to United States Consul in Jerusalem with a view to obtaining information on these points. It would be useful to us if you (and His Majesty's Consul, Jerusalem) could tell us anything you may know on the subject, for our own information.

Please repeat to Jerusalem No.83 most immediate.

[Copy sent to Resident Clerk 10.45 p.m.]

[Repeated, most immediate to Jerusalem]

[This telegram is of particular secrecy and should be retained by the authorised recipient and not passed on]

Cypher/OTP

DEPARTMENTAL DISTRIBUTION

FROM JERUSALEM TO FOREIGN OFFICE

Acting British Consul General D.4.51.p.m.17th July 1948
No: 283

17th July 1948

R.6.52.p.m.17th July 1948

SECRET

My immediately preceding telegram and your telegram No: 457.

Abducted British subjects.

Both Levin and the firm of Horowitz worked well for former Palestinian Government and I shall approach them as soon as possible. Sole difficulty may be that they specialised in civil cases and may refuse to take this case. In that event I think we could safely be guided by Mr. Levin in choosing another local lawyer.

2. Jewish journalists claim to have seen the five men yesterday morning and informed my Belgian colleague that they were in good health, well fed and merely complained of the lack of exercise.

3. My Belgian colleague informs me that I.Z.L. newspaper, Herut, yesterday stated that there was not sufficient evidence to warrant the charges against Bryant and Downs. He said Jewish circles in Jerusalem were canvassing two solutions either a trial in Tel Aviv or expulsion of all five. He asked which we would prefer him to work for, as Chairman of the Truce Commission. I replied that you would favour the latter course but that since expulsion would bear an imputation of guilt I suggested that, in respect of Bryant and Downs, if in fact there was no evidence to justify a charge, it would be best to work for their immediate release here and expulsion of the other three. This solution would allow re-employment of Bryant and Downs by the Company and I hope you approve this variation on the line you took with Goldman.

4. Wireless transmitter referred to is of course the "intercom" set for communication with this Consulate and the Cathedral. It is one of the factors which led me to

suspect that this

Jerusalem telegram No:283 to Foreign Office

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suspect that this Consulate might be ^{involved in the ?} ~~[grp.undec]~~ trial ~~(my telegram No: 266)~~. I think therefore that you should know:

(a) Both Jewish and Arab authorities were informed of intention to instal the sets about two weeks before the termination of the mandate. Bryant himself told the Jews and Brice, who at that time was a member of the staff of Jerusalem Electric Corporation and is now the M.O.W. representative in the Consulate and operator of the set here, the Arabs. The Arab Higher Committee sent a band of armed irregulars to inspect the set on the Electric Corporation's premises. The latter fact and Brice's position may of course be used to implicate this Consulate;

(b) That I personally on about May 16th spoke over my set to Jerusalem Electric and the Cathedral impressed upon them that the sets were to be used solely for news of British community and were not (repeat not) to be used for any news which either side might interpose as military intelligence;

(c) That in anticipation of exactly the present situation I made no secret of existence of this inter-communicating radio system in conversations with Jewish Agency and even mentioned the set in the Electric Corporation premises in conversation of May 18th when sending communication referred to in my telegram No: 32;

(d) Since we used proper names of persons to whom we spoke and broadcast on 49 metres, which is easy to pick up, our conversations were obviously a quite unsuitable vehicle for the passing of military intelligence. I am reasonably sure therefore that no military intelligence has been passed to this Consulate but it cannot be ruled out that members of Jerusalem Electric used the set at different times to communicate with other persons. Brice doubts, however, whether they have anyone of sufficient technical ability to operate the set on another wavelength.

X:X:X:

Registry
No. E

~~Top Secret.~~
Secret.
~~Confidential.~~
Restricted.
~~Open.~~

Draft. RL

UK Delⁿ New York

N^o 3106

Dated July 21st

and to

Washington (immediate)

Cypher

Dist:

Departmental

1 immediate
Secret

Addressed to U.K. Delegation New York tel³¹
N^o 3106 of 21st July and to Washington

~~Attn~~

Your telegram N^o 1985 and Washington
telegram N^o 5567.

British subjects abducted in Palestine.

With reference to Jewish allegations
military intelligence)
that ~~information~~ was passed to the Arabs
by wireless, following ^{information is given by Mr. Beaumont} ~~is repeated~~
in paragraph 4 of Jerusalem telegram

N^o 283 dated July 17th:

^{Begin}
[Here insert A — B of attached telegram
Copy para 4 from attached telegram]
^{Ends.}

J.B.
21/7

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[This telegram is of particular secrecy and should be retained by the authorised recipient and not passed on]

Cypher/OTF

DEPARTMENTAL DISTRIBUTION

E

Secret

FROM FOREIGN OFFICE TO NEW YORK

(To United Kingdom Delegation to United Nations)

No: 3106

21st July 1948

D.5.5.p.m. 21st July 1948

and also to Washington No: 8036 (Immediate)

IMMEDIATE

SECRET

Addressed to U.K. Delegation New York telegram No: 3106 of 21st July and to Washington.

Your telegram No: 1985 and Washington telegram No: 5567.

British subjects abducted in Palestine.

With reference to Jewish allegations that military intelligence was passed to the Arabs by wireless, following information is given by Mr. Beaumont in paragraph 4 of Jerusalem telegram No: 283 dated July 17th.

Begins.

4. Wireless transmitter referred to is of course the "intercom" set for communication with this Consulate and the Cathedral. It is one of the factors which led me to suspect that this Consulate might be involved in the trial. I think therefore that you should know:

(a) Both Jewish and Arab authorities were informed of intention to instal the sets about two weeks before the termination of the mandate. Bryant himself told the Jews and Brice, who at that time was a member of the staff of Jerusalem Electric Corporation and is now the M.O.W. representative in the Consulate and operator of the set here, the Arabs. The Arab Higher Committee

sent a band

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Foreign Office telegram No: 3106 to New York
Delegation

- 2 -

sent a band of armed irregulars to inspect the set on the Electric Corporation's premises. The latter fact and Brice's position may of course be used to implicate this Consulate;

(b) That I personally on about May 16th spoke over my set to Jerusalem Electric and the Cathedral impressed upon them that the sets were to be used solely for news of British community and were not (repeat not) to be used for any news which either side might interpose as military intelligence;

(c) That in anticipation of exactly the present situation I made no secret of existence of this inter-communicating radio system in conversations with Jewish Agency and even mentioned the set in the Electric Corporation premises in conversation of May 18th when sending communication referred to in my telegram No: 32;

(d) Since we used proper names of persons to whom we spoke and broadcast on 49 metres, which is easy to pick up, our conversations were obviously a quite unsuitable vehicle for the passing of military intelligence. I am reasonably sure therefore that no military intelligence has been passed to this Consulate but it cannot be ruled out that members of Jerusalem Electric used the set at different times to communicate with other persons. Brice doubts, however, whether they have anyone of sufficient technical ability to operate the set on another wavelength.

Ends.

X:X:X:

Registry
No. E

~~Top Secret~~
~~Secret~~
Confidential.
Restricted.
Open.

HB

Most Immediate
Confidential
Giant

[Security classification]
—if any

(Date)

Despatched M.

Draft.

Telegram to :—

U.K. Del. New York

Addressed to U.K. Del. New York

telegram No. 3113 (date) 31/7/48

repeated for information to Washington and Jerusalem

No. 3113

(Date) July 21/48

Repeat to :—

Washington 8051

Jerusalem 504

Your telegram No. 1985.

The difficulty mentioned in your para 2 would be avoided if the resolution were drafted in something like the following terms.

2. The Security Council

having considered the messages sent by the Palestine Truce Commission on the 14th and 15th July on the subject of the five employees of the Jerusalem Electric Corporation abducted by the Irgun Zvai Leumi

supports the demand of the Truce Commission for the release of the five men, and calls for their surrender to the Truce Commission in Jerusalem within 48 hours.

3. If the objection is raised that the Security Council should call upon some specific authority to hand over the men, you could say that it is not absolutely certain in whose hands they now are and that the resolution should therefore be in the broadest possible terms. If the majority of the Council insist on mentioning the Provisional Government of Israel by name, no great harm will have been done.

4. /

Approved by Mr.
Evans.

H. Beeley 21/7

21.7

En-Clair=
=Cote=
Cypher.

Distribution :—

World Organisation

22 JUL 1948

NOTHING TO BE WRITTEN IN THIS MARGIN.

4. We have no information suggesting that charges of espionage against any of the men could be sustained but we are of course not in a position to give a positive assurance on this point. You should not be drawn into any admission that the Jewish authorities ^{would} have any justification for trying these men in any circumstances. and you should try to keep the discussion on the point that all parties in Palestine must respect the authority of the Truce Commission, which, if it is to discharge the task assigned to it by the Security Council, must enjoy immunities which have been violated in this instance. Since we consider that this is the real issue. the point raised in para.6 of your telegram No.1979 is not immediately relevant.

5. We have now received Washington tel. No.3567. We are committed by statements in the House of Commons to take the earliest possible action in the Security Council. It appears. however that the latter's time table will give the State Department at least the 24 hours for which they have asked.

A handwritten signature in dark ink, appearing to be 'R. F. J. J.', is written below the typed text.

NOTHING TO BE WRITTEN IN THIS MARGIN.

Cypher/OTP
E
Confidential

WORLD ORGANISATION DISTRIBUTION

FROM FOREIGN OFFICE TO NEW YORK

(To United Kingdom Delegation to United Nations)

No. 3113

D. 8.15 p.m. 21st July, 1948.

21st July, 1948.

Repeated to: Washington No. 8051
Jerusalem No. 504.

MOST IMMEDIATE

CONFIDENTIAL

GIANT

Addressed to United Kingdom Delegation, New York telegram No. 3113 of 21st July, repeated for information to Washington and Jerusalem.

Your telegram No. 1985.

The difficulty mentioned in your paragraph 2 would be avoided if the resolution were drafted in something like the following terms.

2. The Security Council

having considered the messages sent by the Palestine Truce Commission on the 14th and 15th July on the subject of the five employees of the Jerusalem Electric Corporation abducted by the Irgun Zvai Leumi

supports the demand of the Truce Commission for the release of the five men, and calls for their surrender to the Truce Commission in Jerusalem within 48 hours.

3. If the objection is raised that the Security Council should call upon some specific authority to hand over the men, you could say that it is not absolutely certain in whose hands they now are and that the resolution should therefore be in the broadest possible terms. If the majority of the Council insist on mentioning the Provisional Government of Israel by name, no great harm will have been done.

4. We have no information suggesting that charges of espionage against any of the men could be sustained but we are of course not in a position to give a positive assurance on this point. You should not be drawn into any admission that the Jewish authorities would have any justification for trying these men in any circumstances, and you should try to keep the discussion on the point that all parties in Palestine must respect the authority of the

/Truce Commission, which,

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Foreign Office telegram No. 5115 to U.K. Del. New York.

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Truce Commission, which, if it is to discharge the task assigned to it by the Security Council, must enjoy immunities which have been violated in this instance. Since we consider that this is the real issue, the point raised in paragraph 6 of your telegram No. 1979 is not immediately relevant.

5. We have now received Washington telegram No. 5587. We are committed by statements in the House of Commons to take the earliest possible action in the Security Council. It appears, however, that the latter's time table will give the State Department at least the 24 hours for which they have asked.

zzz